

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 0:25-cv-61308-KMM

SHAWN SILVER,

Plaintiff,

vs.

SPILL THE TEA, INC., a
Delaware corporation,
AWDTSG, Inc., a Delaware
corporation, TRANSGLOBAL
ASSETS INC., a Wyoming
corporation, jointly and severally
d/b/a DATEGUARD ARE WE
DATING THE SAME GUY? - NASHVILLE,
and META PLATFORMS, INC.,
a Delaware corporation,

Defendants.

**AFFIDAVIT OF SHAWN SILVER WITH EXHIBITS IN SUPPORT OF PLAINTIFF'S
MOTION FOR ENTRY OF DEFAULT FINAL JUDGMENT AGAINST DEFENDANTS
SPILL THE TEA, INC. AND AWDTSG, INC.**

BEFORE ME, the undersigned authority, personally appeared SHAWN SILVER, who
after being duly sworn deposes and states as follows:

1. My name is Shawn Silver. I am over the age of eighteen (18) years and make
this Affidavit upon personal knowledge of all matters stated herein.
2. I am the Plaintiff in this action. I am a resident of Tennessee with substantial business
and personal interests in the State of Florida. Among other interests, the principal address of my
primary business is situated in Broward County, Florida.

3. I paid for and commissioned a set of professional photographs for use solely in connection with a private, password-protected profile on a dating platform intended for discreet personal matchmaking.

4. Without my knowledge or permission, authorized agents of and individuals associated with Defendants' SPILL THE TEA, INC. and AWDTSO, INC. ("Defendants") Facebook group DATEGUARD D/B/A ARE WE DATING THE SAME GUY? – NASHVILLE, copied my commissioned set of professional photographs from the dating site, used artificial intelligence to make or result in alterations to those photographs, and republished them within the group.

5. I was able to obtain limited media of the activity occurring within the subject Facebook group during a short period of time, which took place on or about June 24-25, 2025. The image attached as "Exhibit 1" to this Affidavit is taken from activity within this group that depicts the commissioned set of professional photographs I paid for, own and/or control. See, Exhibit 1 to Affidavit of Shawn Silver in Support of Plaintiff's Motion for Entry of Default Final Judgment Against Defendants Spill the Tea, Inc. and AWDTSO, Inc. ("Affidavit of Shawn Silver"), attached hereto and incorporated by reference herein.

6. The image attached as "Exhibit 1" reflects that my professional photographs have been altered using artificial technology, resulting in certain distortions of my physical characteristics (stemming from what is known as AI-generated "anatomical distortion", AI model's tendencies to "hallucinate" features based on statistical patterns, not anatomical logic, AI synthetic "anatomical aberration" resulting in the twisted, intertwined appearance of fingers or limbs that resemble serpentine or reptilian forms, and/or "morphological distortion" causing the appearance of extra fingers or digits beyond human norms).

7. The posts within this group included my first name (“Shawn”), the first letter of my last name (“Shawn S”), my age, height, and locations, and were presented alongside disparaging and inflammatory content, explicitly and implicitly associating me with negative characterizations, and making false assertions about my business by so-called “anonymous” posters with whom I have never interacted. See, Exhibits 1, 2, 3, 4, 5, 6, 7, and 8 attached to this Affidavit of Shawn Silver. These posts within the group serve only one purpose, to monetize the interests of Defendants who own and operate the group at my expense by using my name, image and likeness and associating myself with sensational disparaging and inflammatory content.

8. The group is operated by Defendants, and is specifically designed to allow ostensibly anonymous commentary (though likely posted by owners and agents of the group itself posing as anonymous posters), personal accusations, and photographs of individuals purportedly involved in “shady” conduct. This is designed to attract and amplify user activity and result in increased monetization of the group operated by Defendants. Defendants regularly and substantially engage in business in the State of Florida, in addition to numerous other states, and attract readers, members and others from this State, who read the content posted in the group about myself.

9. The tone and structure of the group is explicitly aimed at public shaming and ostracization rather than legitimate discourse or protected opinion.

10. Defendants knowingly and without my consent used my photographs and first name (and first letter of my last name) in an online publication for the purpose of increasing the visibility, engagement, and influence of Defendants’ Facebook group to enhance the

monetization of the group they own and operate. This use served a commercial or promotional purpose.

11. I am clearly identifiable from the content described above, and the use was not for news reporting or any legitimate public interest.

12. The continued visibility and accessibility of my name and image serve no legitimate public interest, are false and misleading in context, and expose me to continuing and further ongoing reputational injury and emotional distress.

13. The actions of these Defendants have caused, and continue to cause me irreparable harm and injury, including emotional and reputational harm, reputational injury, disruption of personal and professional relationships, anxiety, humiliation, emotional anguish, loss of business goodwill, and irreparable harm caused by the unauthorized use, publication, and dissemination of my image, likeness, and name.

14. I respectfully request that this Court enter a permanent injunction preventing Defendants SPILL THE TEA, INC. and AWDTSO, INC., jointly and severally d/b/a DATEGUARD ARE WE DATING THE SAME GUY? – NASHVILLE, and their officers, agents, servants, employees, attorneys, successors, assigns, and all persons in active concert or participation with any of them, from any further publication, distribution, or display of my image, likeness, or name in connection with (i) the Facebook group named DATEGUARD ARE WE DATING THE SAME GUY? – NASHVILLE, or similar group or derivative spinoff thereof, without my written consent, (ii) any commercial promotional purpose or enterprise operated for their own commercial benefit, as, e.g., to attract attention and generate engagement in the group or enterprise for monetization purposes, without my written consent, or (iii)

reproducing these images online and attaching my name to them in a misleading and humiliating context, without my written consent.

Under penalties of perjury I declare that I have read the foregoing and the facts alleged are true to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NAUGHT.


Shawn Silver

STATE OF _____

§

COUNTY OF _____

§

I HEREBY CERTIFY that on this day before me, the undersigned officer duly authorized in the state and county aforesaid to take acknowledgments, the foregoing instrument was acknowledged by SHAWN SILVER by means of ☐ physical presence or ☐ online notarization, this _____ day of August 2025. He is ☐ personally known to me or ☐ has produced _____ (type of identification) as identification, and who did take an oath, and who executed the foregoing.

(Notary Seal)

See attached California Acknowledgment 8/21/25
NOTARY PUBLIC, State of _____

Name typed, printed, or stamped

My Commission Expires: _____

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los AngelesOn 08/29/2025 before me, Yasmeen Fashah **Notary Public**

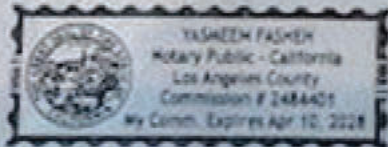
Date

Here Insert Name and Title of the Officer

personally appeared Shawn Silver

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document:Title or Type of Document: Affidavit of Shawn Silver in SupportDocument Date: at Plaintiff's Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer - Title(s): _____☐ Partner - ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer - Title(s): _____☐ Partner - ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer is Representing: _____